

Chinmay Sarkar

Advocate

Siliguri Bar Association
Room No. 6

Residence Cum Chamber
Beside Rathkhola Math,
Rathkhola, P.O. Rabindra Sarani
P.S. Siliguri-734006
District Darjeeling
98320-63484 (Mob.)
70633-07012 (Mob.)
Mail Id. – csarkar004@gmail.com

Ref:

Date: 05-03-2024

SUB: TITLE INVESTIGATION REPORT.

Re: Search-Cum-Title investigation opinion of all that piece or parcel of homestead land measuring 10.18 Decimals, comprised in R.S. Plot No. 12026, corresponding to L.R. Plot No. 812, recorded in R.S. Khatian No. 2783, corresponding to L.R. Khatian Nos. 6704, situated within Mouza Siliguri, now Siliguri Dakshin-2, J.L. No. 110(88) (old) and 93 (new), Pargana Baikunthapur, under Siliguri Municipal Corporation area Ward No. 30, within the jurisdiction of Police Siliguri, registered office at Additional District Sub-Registrar Siliguri, District Darjeeling, property belongs to **Smt. Suryatapa Dasgupta Banerjee @ Suryyatapa Banerjee**, Wife of Sri Basudeb Dasgupta, Daughter of Late Nimai Chandra Banerjee, residing at Deshbandhu Para, Banerjee Bhawan, Ward No. 30 of S.M.C., P.O. Siliguri Town, P.S. Siliguri, Pin No. 734004, District Darjeeling (W.B.), presently residing at Indra Gandhi Street, 1 No. Dabgram, Ward No. 30 of S.M.C., P.O. Rabindra Sarani, P.S. Siliguri, Pin No. 734006, District Darjeeling (W.B.).

1. Source of Ownership

That (i) Sri Nimai Chandra Banerjee @ Nimai Banerjee, Son of Late Kalidas Banerjee, (ii) Sefali Banerjee, Wife of Nimai Chandra Banerjee @ Nimai Banerjee, was the absolute owner of land measuring 12.5 Decimal, comprised in R.S. Plot No. 12026, recorded in R.S. Khatian No. 2783, Situated within Mouza Siliguri, J.L. No. 110, Touzi No.3, Pargana Baikunthapur, within the jurisdiction of Siliguri, District Darjeeling, by virtue of a registered Deed of Sale being No. 4938 for the year 1977, recorded in Book No. I, Volume No. 71, Pages from 203 to 205, and the same was registered at the office of the then Sub-Registrar Siliguri, executed by Smt. Prabhabati Devi, Wife of Nanigopal Chakraborty.

Being owner in such possession said (i) Sri Nimai Chandra Banerjee @ Nimai Banerjee, Son of Late Kalidas Banerjee, (ii) Sefali Banerjee, Wife of Nimai Chandra Banerjee @ Nimai Banerjee, constructed a Three storied building upon their aforesaid landed property and since then in their actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Being owner in such possession said Sefali Banerjee, died on 26.10.2014, Subsequently said Sri Nimai Chandra Banerjee @ Nimai Banerjee, Son of Late Kalidas Banerjee, died on 21.11.2018, intestate living behind their one daughter namely Smt. Suryatapa Dasgupta Banerjee @ Suryyatapa Banerjee, Wife of Sri Basudeb Dasgupta, as their only Legal heir and successor as per provision of Hindu Succession Act, 1956. Accordingly by virtue of inheritance the above named legal heir became the sole owner of aforesaid landed property, since then in her actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Whereas during physical verification its was found that Smt. Suryatapa Dasgupta Banerjee @ Suryyatapa Banerjee, Wife of Sri Basudeb Dasgupta, is enjoying and possessing her respective landed property measuring 10.18 Decimal out of their total land measuring 12.5 Decimal under in R.S. Plot No. 12026, since then in her actual and physical possession having permanent, heritable and transferable right, title and interest therein.

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Whereas being owner in such possession said Smt. Suryatapa Dasgupta Banerjee @ Suryatapa Banerjee, Wife of Sri Basudeb Dasgupta, mutated her name at the office B.L. & L.R.O. Siliguri, in respect of her said landed property measuring 10.18 Decimal, and therefore a new Khatian has been issued in her favour vide L.R. Khatian No. 6704, bearing L.R. Plot No. 812, and since then in her actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Being owners in such possession said Smt. Suryatapa Dasgupta Banerjee @ Suryatapa Banerjee, Wife of Sri Basudeb Dasgupta, Daughter of Late Nimai Chandra Banerjee, desirous to construct Multi storied building upon her said land measuring 10.18 Decimals, after demolishing the said structure standing on the said aforesaid property, therefore a she had prepared a Building Plan, and also she had entered into a Development Agreement with "**Kite Developers**" a Partnership firm, represented by its Partners namely (i) Sri Sanjay Agarwal, Son of Rajendra Prasad Agarwal, (ii) Sri Pradipta Saha, Son of Prosenjit Saha, by virtue of a registered Deed of Development Agreement being No. I-1443 for the year 2023, recorded in Book No. I, Volume No. 402, Pages from 40343 to 40368, registered in the office of the Additional District Sub-Registrar Siliguri, and she also executed a Development Power of Attorney in favour of "**KITE DEVELOPERS**" a Partnership firm, represented by its Partners namely (i) Sri Sanjay Agarwal, Son of Rajendra Prasad Agarwal, (ii) Sri Pradipta Saha, Son of Prosenjit Saha, by virtue of a registered Development General Power of Attorney being No. I-1446 for the year 2023, recorded in Book No. I, Volume No. 402, Pages from 40400 to 40418, registered in the office of the Additional District Sub-Registrar Siliguri.

A : LIST OF DOCUMENTS STUDIED :-

- 1) Photocopy of Deed of Development Agreement being No. I-1443 for the year 2023, recorded in Book No. I, Volume No. 402, Pages from 40343 to 40368, registered in the office of the Additional District Sub-Registrar Siliguri, executed between Smt. Suryatapa Dasgupta Banerjee @ Suryatapa Banerjee, Wife of Sri Basudeb Dasgupta, (Land owners) with "**KITE DEVELOPERS**" a Partnership firm, represented by its Partners namely (i) Sri Sanjay Agarwal, Son of Rajendra Prasad Agarwal, (ii) Sri Pradipta Saha, Son of Prosenjit Saha, (Developers).
- 2) Photocopy of Deed of General Power of Attorney being No. I-1446 for the year of 2023, recorded in Book No. I, Volume No. 402, Pages from 40400 to 40418, registered in the office of the Additional District Sub-Registrar Siliguri, in favour of "**KITE DEVELOPERS**" a Partnership firm, represented by its Partners namely (i) Sri Sanjay Agarwal, Son of Rajendra Prasad Agarwal, (ii) Sri Pradipta Saha, Son of Prosenjit Saha,
- 3) Photocopy of Deed of Sale being No. I-4938 for the year of 1977, recorded in Book No. I, Volume No. 71, Pages from 203 to 205, and the same was registered at the office of the Sub-Registrar Siliguri, in the name of (i) Sri Nimai Chandra Banerjee @ Nimai Banerjee, Son of Late Kalidas Banerjee, (ii) Sefali Banerjee, Wife of Nimai Chandra Banerjee @ Nimai Banerjee.



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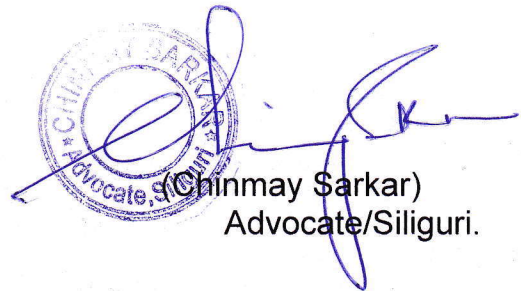
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- 4) Photocopy of L.R. Khatian being Nos. 6704, in the name of Smt. Suryatapa Dasgupta Banerjee @ Suryyatapa Banerjee, Wife of Sri Basudeb Dasgupta
- 5) Photocopy of Holding Tax being receipt No. 44121, dated 24.11.2023, in the name of Smt. Suryatapa Dasgupta Banerjee @ Suryyatapa Banerjee, Wife of Sri Basudeb Dasgupta
- 6) Photocopy of online payment receipt of Land Khazna Dakhila, vide receipt No. REVREC2023040508254, dated 17.07.2023 in the name of Smt. Suryatapa Dasgupta Banerjee @ Suryyatapa Banerjee, Wife of Sri Basudeb Dasgupta
- 7) Photocopy of Legal Heirs Affidavit of Late Sri Nimai Chandra Banerjee @ Nimai Banerjee, and Late Sefali Banerjee, issued by the LD Executive Magistrate at Siliguri.
- 8) Photocopy of L.U.C.C. being Memo No. 1221/SJDA, in the name of Smt. Suryatapa Dasgupta Banerjee @ Suryyatapa Banerjee, Wife of Sri Basudeb Dasgupta,

I certify that **Smt. Suryatapa Dasgupta Banerjee @ Suryyatapa Banerjee**, Wife of Sri Basudeb Dasgupta, Daughter of Late Nimai Chandra Banerjee, residing at Deshbandhu Para, Banerjee Bhawan, Ward No. 30 of S.M.C., P.O. Siliguri Town, P.S. Siliguri, Pin No. 734004, District Darjeeling (W.B.), presently residing at Indra Gandhi Street, 1 No. Dabgram, Ward No. 30 of S.M.C., P.O. Rabindra Sarani, P.S. Siliguri, Pin No. 734006, District Darjeeling (W.B.), have/has absolute, clear and marketable title over the schedule property/(ies). I further certify that the above title deed/s is / are genuine, the property is free from all encumbrances.

This opinion is being given relying upon the contents of the documents submitted to me and after causing the searches as aforesaid and I certified that the property is SARFAESI complaint & clear and marketable.



(Chinmay Sarkar)
Advocate/Siliguri.